

RCMP External Review Committee

2006-2007

Departmental Performance Report

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(Public Safety and Emergency Preparedness Canada)

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SECTION I: OVERVIEW

The Chair's Message

The Departmental Performance Report (DPR) of the Royal Canadian Mounted Police External Review Committee ("Committee") for 2006-2007 provides an overview of its work during this fiscal year. It also discusses the extent to which the Committee has met its objectives as set out in its 2006-2007 Report on Plans and Priorities.

The Committee has a very distinct mandate. Its role is to conduct impartial and independent reviews of RCMP labour relations cases. The Committee has consistently had a significant output, in spite of its very small size. This year, it issued a near record number of recommendations. The Committee dealt with areas such as harassment, travel entitlements, and relocation, and also examined a number of interesting questions in disciplinary appeals. In addition, the Committee has engaged in outreach. The Committee issues a quarterly *Communiqué* and has a Web site (www.crc-ccc.gc.ca) with all case summaries and articles of interest. In addition, the Chair and staff members met with a variety of stakeholders throughout the year.

The Committee strives for even greater success in the areas of case review and outreach and adheres to its goal that the backlog be removed. It secured interim funding to assist in this process and is also exploring the possibility of additional financial support to meet its many corporate and operational demands.

In the area of labour relations oversight, an expanded outreach and research function would enhance the Committee's role. Furthermore, as is now the case, keeping oversight of the RCMP in the domain of labour relations separate and distinct from the domain of oversight in the area of public complaints is extremely important. The Committee's view on this was confirmed this winter, in the *Final Recommendations to the Commission of Inquiry into the Actions of Canadian Officials in Relation to Maher Arar*, when Justice O'Connor stated that public complaints oversight and discipline review should be kept as separate functions.

My vision is for the Committee to expand its ability to meet its strategic outcome, through a continuation of its quality work in the area of case review and outreach, and to expand its ability to do so with longer term funding - to enhance the case review process and develop a more robust infrastructure to support the Committee in meeting standards of excellence in its mandate.

Catherine Ebbs

Catherine Ebbs
Chair

Management Representation Statement

I submit for tabling in Parliament the 2006-07 Departmental Performance Report (DPR) for the RCMP External Review Committee.

This report has been prepared based on the reporting principles contained in the *Guide for the Preparation of Part III of the 2006-2007 Estimates: Reports on Plans and Priorities and Departmental Performance Reports*:

- It adheres to the specific reporting requirements outlined in the Treasury Board Secretariat guidance;
- It is based on the department's approved Strategic Outcome and Program Activity Architecture that were approved by the Treasury Board;
- It presents consistent, comprehensive, balanced and reliable information;
- It provides a basis of accountability for the results achieved with the resources and authorities entrusted to it; and
- It reports finances based on approved numbers from the Estimates and the Public Accounts of Canada.

Catherine Ebbs

Catherine Ebbs
Chair

September 14, 2007

Summary Information

Committee's Raison d'être

The RCMP External Review Committee is an independent and impartial agency that aims to promote fair and equitable labour relations within the RCMP, in accordance with applicable principles of law. To this end the Committee conducts an independent review of appeals in disciplinary and discharge and demotion matters, as well as certain categories of grievances, in accordance with the *RCMP Act* ("Act").

Financial Resources (\$thousands)

| Planned | Authorities | Actual Spending |
|---------|-------------|-----------------|
| 895 | 985 | 909 |

Human Resources (FTEs)

| Planned * | Actual * | Difference |
|-----------|----------|------------|
| 9 | 6 | 3 |

* From August 4, 2006 to March 31, 2007 one position was vacant.

* Until January 2007, our initial FTE planned was 6. Funding was received, effective January 2007 for 3 additional backlog resources (one for a two year term and two for a five year term). Three positions could not be filled in this fiscal year.

Operating Environment and Context

A. Day-to-day Conditions of the Work of the Committee Pertaining to Performance

1) Case Review

Members of the RCMP are subject to distinct systems of grievance, discipline and discharge and demotion adjudication, as outlined in Parts II, III, IV and V of the *Act*. The internal RCMP labour relations system makes the initial decision in labour relations matters affecting members where the initial decision is challenged and the *Act* provides for referral to the Committee. The mandate of the Committee is to undertake an external review and issue findings and recommendations to the parties and the Commissioner of the RCMP. The Commissioner of the RCMP makes the final decision and should he not follow the Committee's recommendation, the law requires that he give reasons for not doing so.

Grievances constitute the largest component of the Committee's work. With grievances, the Committee does not have the statutory or regulatory authority to review every grievance that is subject to a Level II review. The *Act* and *Regulations* provide that only five categories of grievances must be referred to it for review:

- a) interpretation and application of government-wide policies that apply to members of the RCMP;
- b) stoppage of pay and allowances during suspension of a member;
- c) interpretation and application of the *Isolated Posts Directive* (IPD);
- d) interpretation and application of the *Relocation Directive* (RD);
- e) administrative discharge on grounds of physical or mental disability, abandonment of post, or irregular appointment.

With discharge and demotion matters, there is no restriction on what types of appeals will be referred. In the area of discipline, it is only when formal disciplinary proceedings have been taken, i.e. for more serious violations of the *RCMP Code of Conduct* that cases come before the Committee. The Committee does not undertake an external review of disciplinary measures arising from an informal disciplinary process as described by the *Act*.

2) Outreach and Communication Activities in 2006-2007

The Committee provides case review which is both impartial and arms length to the RCMP. In doing so, it aims to positively influence the RCMP labour relations environment. Likewise, information exchange and outreach with stakeholders is integral to this objective. The Committee utilizes a number of tools for outreach, including its Web site (www.erc-ccc.gc.ca), its quarterly publication (*Communiqué*), requests for information, and ongoing training, meetings, and capacity building.

B. Internal and External Factors Affecting the Performance of the Committee

There are many factors that affect the performance of the Committee. These include the small size of the Committee, workload fluctuations, visibility of the Committee, the need for greater outreach and research, and increased corporate requirements.

1) The Small Size of the Committee

The Committee is a very small tribunal of 6 people. With the increase in interim funding it received in January 2007, it remains quite small at only 6 indeterminate and 3 temporary positions. Staff of the Committee must perform a variety of tasks in a number of different domains because there are no internal specialized human resources, financial and other corporate resources. The transactional responsibilities tied to corporate issues are carried out through shared service agreements which must be carefully monitored. For the most part, these shared service agreements do not address the multiple strategic considerations that must be integrated into the workplace. Notwithstanding the

transactional support, in areas such as finance, procurement, information management and human resources, there is still significant work of a transactional nature that must be done in house.

In addition, the Committee is resourced only to address its immediate operational priorities and other corporate strategic priorities. As well, the nature of the Committee business is such that it is difficult to forecast the volume of work much in advance. The Committee's relatively modest budget leaves little room to adapt and maneuver to adapt to changes in the federal sphere or sudden shifts in workload demands. The unpredictability of demands on the Committee has led to the need to constantly risk-manage the Committee budget throughout the fiscal year.

Notwithstanding these pressures, the Committee has moved toward becoming an even more corporately robust organization. It has also put into place or enhanced policies and procedures in areas such as human resources and finance, and has taken steps in requesting additional resources to assist in case review.

2) Visibility

The mandate of the Committee may not be known to the best extent possible by its client community in the RCMP, within the federal government and by the general public. When the Committee was first created, its mandate included a research function that may have assisted with its visibility. However, due to severe funding cuts in the 1990s and consequent reductions in its human resources, that research function was eliminated. The Committee currently has an outreach function as defined in its Program Activity Architecture. However, given its limited resources and need to place emphasis on its case review responsibilities, this function is not as expansive as the Committee would like it to be.

The Committee addresses this challenge by ensuring that it does as much outreach as possible, within its limited resources. The Committee maintains on-going communications with stakeholders, and shares knowledge and feedback with the small agency networks, where possible. The Committee also gains visibility through such activities as the provision of grievance training to RCMP officials, distribution of its *Communiqué* and through its Web site (www.erc-ccc.gc.ca).

3) Workload Fluctuations

The Committee has no control from year to year over the number of cases that are referred to it. It has a small staff, operating with one member, who is also the Committee Chair and Chief Executive Officer, and five staff members with program and operational responsibilities, for a total complement of six full time equivalents (FTE). (As noted above, three additional interim FTEs will bring the number up to 9 and these resources will be hired in 2007-2008). At this time, the Committee has a backlog of cases. It continues to address this through integrated prescreening and peer review procedures in

its operations. As well, it has received more funds to facilitate case review generally. The additional funding sources available to it have been limited to shorter term funding. It is therefore challenged in its staffing because it cannot attract indeterminate staff at the present time for these additional positions and cannot engage in longer term planning.

4) Reporting Demands and Other Requirements

Over the last few years, corporate requirements at the federal level have increased. The Committee regularly meets with other components of government to address various federal government reporting and accountability requirements. It places a high level of importance on these requirements. Given its limited resources, it sought ways to address this through other mechanisms, such as acquiring additional funds and improving its shared services agreements. It has also participated in a roundtable discussion of various government representatives, through the Canada School of Public Service, with a view to building common ground on resolving the reporting burden on small agencies.

The *Public Service Modernization Act (PSMA)* has also required significant additional attention and time to implement. The Committee has consulted staff on all policies and embarked on a number of initiatives including educating staff on the *PSMA*, and career planning and training needs in the 2006-2007 year. The Committee will ensure that all staff is fully informed of the general principles of the *PSMA*. Some strategic support has been forthcoming through the Canada Public Service Agency (formerly known as Public Service Human Resources Agency of Canada) through a working group called the Small Agency Transition Support Team. However, that assistance is limited to *PSMA* implementation issues – not other human resources issues – and is of an interim nature only.

This year, the Committee provided significant data and information to central agencies for their assessment of the Committee's integration of the *Management Accountability Framework (MAF)*. In doing so, the Committee undertook its own internal assessment of the work that it does and identified areas to address further. This has included finding ways to ensure a robust form of evaluation, in spite of its small size, and ongoing attention to its risk management function.

In the MAF process, the Treasury Board Secretariat recognized the Committee for its efforts to ensure effective corporate risk management; the extent to which the workplace is fair, enabling, health and safe; and the extent to which the workforce is productive, principled, sustainable and adaptable. Its recommendations to the Committee included making greater progress in areas such as the quality and use of evaluation; integration, use and reporting of performance information; and effectiveness of information management.

Link to the Government of Canada Outcome Areas

| Strategic Outcome: The RCMP External Review Committee aims to positively influence the manner in which labour relations issues are addressed within the RCMP | | | | |
|--|---------|---------------------------------|--------------------------------|-------------------------------------|
| Program Activity | Type | Planned Spending (\$ thousands) | Actual Spending (\$ thousands) | Expected Results and Current status |
| 1. Independent, timely, fair and impartial case review leading to the provision of quality findings and recommendations in all cases referred to the Committee | ongoing | 669 | 778 | met-in progress |
| Priority 1 - Focus on effectiveness and quality of case management process | | | | met-in progress |
| Priority 2 - Maintain optimum environment for ERC staff | | | | met-in progress |
| Priority 3 - Ongoing evaluation of operations | | | | met-in progress |
| 2. Dissemination of information on the role of the Committee and its findings and recommendations, as well as on relevant legal principles | ongoing | 226 | 131 | met-in progress |
| Priority 1 - Formalize outreach and raise awareness of the Committee's work | | | | met-in progress |

Alignment of Strategic Outcome with Government of Canada Outcomes

The Committee's strategic outcome aligns with all four Government of Canada outcomes. Through its case review function of an independent and impartial nature it can contribute to employment security and a fair and secure marketplace, health of Canadians, a safe and secure world through international cooperation, government relations, and supporting a vibrant culture and heritage. It can do this directly, through supporting sound, arms-length oversight of employment relations decisions internal to the RCMP. By supporting employment relations in the RCMP, its activities will consequently indirectly support all Canadians in these outcomes.

| Strategic Outcome | Government of Canada Outcomes |
|---|--|
| <p>The RCMP External Review Committee aims to positively influence the manner in which labour relations issues are addressed within the RCMP.</p> | <p>The Strategic Outcome of the RCMP External Review Committee supports all government outcomes:</p> <ol style="list-style-type: none"> 1. <u>Economic Affairs</u> <ul style="list-style-type: none"> income security and employment for Canadians; strong economic growth; and a fair and secure marketplace. 2. <u>Social Affairs</u> <ul style="list-style-type: none"> healthy Canadians; safe and secure communities; a diverse society that promotes linguistic duality and social inclusion; and a vibrant Canadian culture and heritage. 3. <u>International Affairs</u> <ul style="list-style-type: none"> a safe and secure world through international cooperation. 4. <u>Government Affairs</u> |
| <p><u>Program Activity 1:</u></p> <p>Independent, timely, fair and impartial case review leading to the provision of quality findings and recommendations in all cases referred to the Committee.</p> | |
| <p><u>Program Activity 2:</u></p> <p>Dissemination of information on the role of the Committee and its findings and recommendations, as well as on relevant legal principles.</p> | |

SECTION II: Analysis of Program Activities by Strategic Outcome

A. Overview of Key Program Activities

The 2006-2007 Report on Plans and Priorities (RPP) has one strategic outcome:

The RCMP External Review Committee aims to positively influence the manner in which labour relations issues are addressed within the RCMP

To meet this strategic outcome, the Committee has identified two program activities:

1. *Independent, timely, fair and impartial case review leading to the provision of quality findings and recommendations in all cases referred to the Committee.*
2. *Dissemination of information on the role of the Committee and its findings and recommendations, as well as on relevant legal principles.*

With regard to its first program activity, the statutory mandate of the Committee is to conduct an impartial review of cases. The Level II grievances, and disciplinary and discharge and demotion appeals involve disputes that were not resolved through the initial stages of dispute resolution. Therefore, the issues often involve complex, challenging and sensitive problems that require in depth analysis.

The Committee's second program activity is to disseminate information on the role of the Committee, on its findings and recommendations and relevant legal principles.

B. Expected Results of Key Program Activities

The expected result of the first program activity of case review is expressed in the activity itself: to ensure sound, independent, timely, fair and impartial findings and recommendations in all cases referred to it. Integrally important to these results therefore are the service standards of the Committee for delivery of recommendations, assurance that the recommendations reflect sound legal principles, fairness in its process and robust adjudication.

The expected result of its second program activity on outreach is increased transparency of the Committee work, easy access to its work to those who are dealing with employment relations problems, and through knowledge transfer, contribution to a fair and open labour relations structure for the RCMP, which benefits all Canadians.

This year, the priorities identified for each program activity in the Report on Plans and Priorities for the 2006-2007 fiscal year were as follows:

Program Activity 1 and Expected Results - Independent, timely, fair and impartial case review leading to the provision of quality findings and recommendations in all cases referred to the Committee

1. *Focus on quality of case review and reduction of backlog*
2. *Maintain optimum environment for ERC staff*
3. *Ongoing evaluation of operations*

These priorities are connected to the expected results in the area of case review. The reduction of the backlog will raise the potential to provide more timely recommendations. An optimum environment for ERC staff will also lead to currency in their areas of expertise, better service orientation, and a capacity to ensure sound, independent, fair and impartial findings and recommendations in all cases referred to it. Ongoing evaluation of its operations provides the capacity to enhance its case review function, and monitor the infrastructure of the Committee to ensure it has the capacity to deliver on its very significant mandate.

Program Activity 2 and Expected Results - Dissemination of information on the role of the Committee and its findings and recommendations, as well as on relevant legal principles.

1. *Formalize outreach and raise awareness of the Committee's work*

This priority is tied to its expected results by focusing on efforts to ensure knowledge of the Committee's work. It also contributes to greater transparency of its work and contribute to openness and understanding in the realm of employment relations decisions, and policies and practices as they pertain to the RCMP.

A general discussion on the two program activities follows, and concludes with a specific review of the Committee's performance on program activity priorities identified in the Report on Plans and Priorities for the 2006-2007 fiscal year.

C. Program Activity 1

Independent, timely, fair and impartial case review leading to the provision of quality findings and recommendations in all cases referred to the Committee.

1) General Discussion

Case review is the prominent concern of the Committee. The Committee continues to

have a backlog of cases and at the end of this fiscal year acquired additional interim resources to assist its case review function. Due to human resources delays, these could not be staffed in this fiscal year.

As already noted in this Report, the Committee makes recommendations to the Commissioner of the RCMP, who must then make the final decision. Should the Commissioner decide not to follow the Committee recommendation, he or she must give reasons for doing so. The following table outlines key components of the review functions for grievances, discipline and discharge and demotion. It also provides statistics on the total number of cases reviewed by the Committee since its inception and up to March 31, 2007 and the percentage of times that the Commissioner has followed the Committee recommendations. Although this data is frequently requested, it should be noted that it is not used by the Committee in its evaluation, out of a concern to safeguard its independence and impartiality. The Committee considers its independence from the Commissioner's decision making process critical to meeting its mandate. It does not therefore evaluate its performance based on whether the Commissioner follows its recommendations. Rather, it is the soundness of its recommendations, and the ability to uphold its impartiality in the process that is key to the Committee.

| Grievances | Formal Disciplinary Matters | Discharge and Demotion |
|--|---|--|
| Part III of the <i>RCMP Act</i> | Part IV of the <i>RCMP Act</i> | Part V of the <i>RCMP Act</i> |
| Initiated by Member presenting a grievance on an area of concern. | Initiated by investigation and subsequent decision of Commanding Officer to hold a hearing, where allegation that member has violated the <i>Code of Conduct</i> and decision to address under formal disciplinary proceedings. | Initiated by a Commanding Officer serving a Notice of Intention. A member may be subject to discharge or demotion proceedings for failing to perform his or her duties in a satisfactory manner, after having been given "reasonable assistance, guidance and supervision in an attempt to improve the performance of those duties". |
| Level I review conducted by an RCMP officer designated as a Level I Adjudicator. | Decision made by Adjudication Board, comprised of three officers of the RCMP. | The member has the right to examine the material in support of the Notice of Intention and to request that a Discharge and Demotion Board, consisting of three senior officers of the Force, be convened. |

| Grievances | Formal Disciplinary Matters | Discharge and Demotion |
|---|--|---|
| The Level I Adjudicator makes a decision based on a review of written submissions. | An Adjudication Board holds a hearing to determine whether there has been a violation of the <i>Code of Conduct</i> . If <i>Code of Conduct</i> is found to have been violated, a subsequent hearing is held to determine sanction. | A Discharge and Demotion Board holds a hearing and issues a decision. |
| If a member is dissatisfied with the decision, then the member presents a Level II grievance. | Either the member or the Commanding Officer can appeal the decision to the Commissioner. The member has an unlimited right of appeal. The Commanding Officer can appeal a finding that no violation of the <i>Code of Conduct</i> but has a very limited right to appeal the sanction. | Either the member or the Commanding Officer may appeal the decision of an RCMP Discharge and Demotion Board.. |
| <p>Five categories of grievances are referred to the Committee for subject to a Level II review.</p> <ol style="list-style-type: none"> 1) interpretation and application of government-wide policies that apply to members of the RCMP; 2) stoppage of pay and allowances during suspension of a member; 3) interpretation and application of the <i>Isolated Posts Directive</i>; 4) interpretation and application of the <i>Relocation Directive</i>; 5) administrative discharge on grounds of physical or mental disability, abandonment of post, or irregular appointment. <p>*****</p> <p>Grievances not in these categories are reviewed through internal RCMP processes. For those grievances referable to the Committee, the grievance is referred to the Committee, unless the member requests that the matter proceed directly to the RCMP Commissioner. This rarely happens.</p> | <p>There is no limitation on the type of disciplinary matters that can be reviewed by the Committee.</p> <p>The appeal is referred to the Committee, unless the member requests that the matter proceed directly to the RCMP Commissioner. This rarely happens.</p> | <p>Appeal submissions are made in writing and the appeal is then referred to the Committee unless the member requests that the matter proceed directly to the RCMP Commissioner. This rarely happens.</p> |

| Grievances | Formal Disciplinary Matters | Discharge and Demotion |
|--|--|---|
| The Committee reviews the case and makes a recommendation. | The Committee reviews the case and makes a recommendation. | The Committee reviews the case and makes a recommendation. |
| The Committee issues findings and recommendations to the parties and the RCMP Commissioner in those categories of grievances referred to it. | The Committee issues findings and recommendations to the parties and the RCMP Commissioner. | The Committee issues findings and recommendations to the parties and the RCMP Commissioner. |
| The RCMP Commissioner makes final decision. | The RCMP Commissioner makes the final decision. | The RCMP Commissioner makes the final decision. |
| As of March 31, 2007, the Committee has issued a total of 433 grievance recommendations since its inception. | As of March 31, 2007, the Committee has issued a total of 103 recommendations coming out of disciplinary appeals since its inception. | As of March 31, 2007, the Committee has issued a total of 4 discharge and demotion cases recommendations since its inception. |
| In 89% of all the grievance recommendations issued since the Committee's inception, the RCMP Commissioner has followed the recommendations of the Committee. | In 71% of all disciplinary appeal recommendations issued since the Committee's inception, the RCMP Commissioner has followed the recommendations of the Committee. | In 75% of all discharge and demotion appeal recommendations since the Committee's inception, the RCMP Commissioner has followed the recommendations of the Committee. |

2) Recommendations and Case Referrals Data

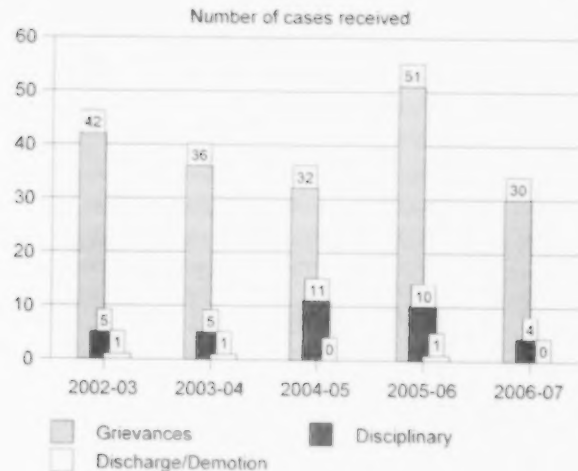
A discussion on the actual composition of cases referred to the Committee, and case recommendations issued follows. The data provided is based upon the Committee's internal tracking of all cases referred and all recommendations issued.

i) Referrals

The Committee has jurisdiction to review only those cases referred to it by the Commissioner of the RCMP. The referability of grievances is restricted by the *RCMP Regulations* to five categories that are noted in Table above and at page 4 of this Report in the discussion on day-to-day operations.

The Committee cannot predict the number of cases that will be referred to it in any given year. Although there were fewer cases referred to the Committee in this fiscal year, there has been a general increase in cases referred to it over the last five years.

The following table illustrates the number of cases referred to the Committee in this fiscal year, in comparison to previous years.



A total of 30 grievances were referred to the Committee, compared to 51 in the previous year and 32 in 2004-05. Four disciplinary appeals were referred to the Committee, which is also a decrease from the number of disciplinary cases referred to it in previous years (10 in previous year; 11 in 2004-2005). No discharge and demotion appeals were referred to the Committee this year.

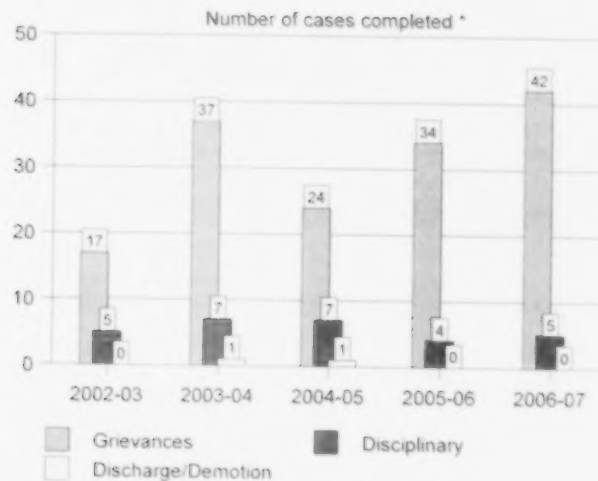
ii) Recommendations Issued

The number of cases completed by the Committee varies depending on the complexity of issues raised. For grievances, the objective of the Committee is to have issued its recommendation within three months of the case being referred to it. For discipline and discharge and demotion cases, the standard that the Committee strives for is six months.

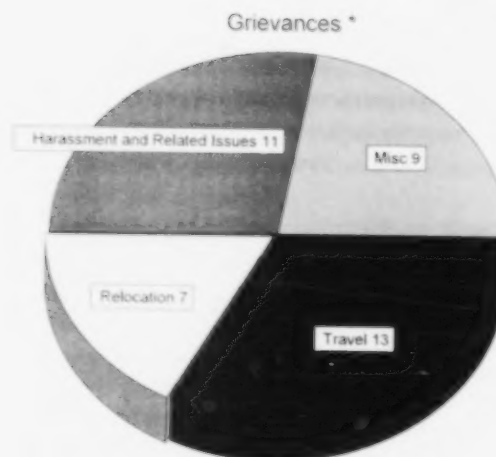
There is a waiting period at this time before cases are reviewed and largely due to this, these service standards are not met. The Committee continues to strive to meet these standards given the importance of timeliness in the recommendations issued and it sought, and was granted, short term additional resources to do so. Putting the resources in place was not possible in this fiscal year, due to human resources delays. The Committee is exploring the possibility of securing resources to assist with rising corporate demands.

There was an increase in the number of recommendations issued this year. The Committee reviewed 42 grievances and issued 40 recommendations, compared to 34 cases reviewed in 2005-06 (and 30 recommendations issued) and 24 cases reviewed (and 23 recommendations issued) in 2004-05. The Committee issued 5 recommendations on disciplinary appeals. No recommendations in the area of discharge and demotion were issued.

The following table illustrates the number of recommendations issued this fiscal year, in comparison to previous years:



The subject matter of this year's grievance recommendations fell into the following general categories:



* In 2006-07, 42 cases were reviewed, but 40 recommendations were issued. In 2005-06, 34 cases were reviewed but 30 recommendations were issued. In 2004-05, 24 cases were reviewed but 23 recommendations issued.

iii) Disciplinary Appeal and Discharge and Demotion Cases

This year, the Committee received four disciplinary appeals. Of these four appeals, three were initiated by the member and one involved an appeal by the Commanding Officer. Only one appeal involved a sanction of an order to resign within 14 days, failing which the member would be dismissed. The Committee issued five findings and recommendations on disciplinary appeals this year and did not review any discharge and demotion cases.

iv) Conclusion

In conclusion, a total of 34 cases were referred to the Committee this year, and 47 cases were completed. At year end, 59 active cases remained before the Committee, including 46 grievances, 12 discipline appeals and one discharge and demotion appeal. sections. The Table below shows the flow of cases and general status of cases before the Committee at the beginning and at the end of this fiscal year.

| The Committee's Workload Overview | | | | |
|---|------------|------------|------------------------|-------|
| | Grievances | Discipline | Discharge/ Demotion | Total |
| Cases remaining at the end of fiscal year 2005-06 | 56 | 13 | 1 | 70 |
| Cases referred in 2006-07 | 30 | 4 | 0 | 34 |
| Recommendations issued in 2006-07 | 40 | 5 | 0 | 45 |
| Cases remaining at the end of fiscal year 2006-07 | 46 | 12 | 1 | 59 |

D. Program Activity 2

Dissemination of information on the role of the Committee and its findings and recommendations, as well as on relevant legal principles

1) Overview

The Committee considers its communication role with stakeholders essential in ensuring that its mandate is effectively met. The Committee was able to expand on its outreach function this year, notwithstanding its limited resources. The Committee utilizes a number of tools for outreach, including its Web site (www.crc-ccc.gc.ca), its quarterly publication, requests for information, and ongoing training, meetings, and capacity

building. A review of each area of outreach activity follows. The data provided is based upon the Committee's internal tracking of its outreach activities.

2) Specific Activities

Specific activities undertaken by the Committee during the reporting period follows.

i) Web Site and Quarterly Publication

The Web site (www.erc-ccc.gc.ca) and the *Communiqué*, a quarterly publication, carry articles of interest, summaries, and updates on all cases that have been before the Committee. The Web site had 390,514 page views this year. The *Communiqué* itself is sent to approximately 835 subscribers four times a year. This number is higher than the previous years.

ii) Requests for Information

The Committee receives a number of requests for information. Some of these are simple, others can be complicated and require more time. This year, the Committee received and responded to 123 requests for information, on average in 2.8 days.

iii) Ongoing Training and Capacity Building

The Committee gave presentations at training sessions for the Staff Relations Representative Program (SRR), new Disciplinary Board Adjudicators, and staff of the Office for the Coordination of Grievances. It also held meetings with stakeholders.

- *The SRR Program*: The SRR Program is made up of regular and civilian members of the RCMP. It is designed to provide members of the RCMP with a formal system of elected representation. The Committee met with the executive of the SRR in this fiscal year; provided an orientation to new SRRs on the work that it does and on a number of substantive and procedural legal issues in the area of grievances; gave a presentation at a regional meeting of SRRs.
- *Disciplinary Board Adjudicators*: In March 2007, Committee staff provided an orientation on the Committee's mandate to new disciplinary board adjudicators in Sydney, Nova Scotia.
- *Office for the Coordination of Grievances*: In March 2007, Committee staff provided an orientation on grievance issues to the staff who administer member grievances in the RCMP.
- *Other Meetings*: Representatives of the Committee met with the RCMP Professional Standards and External Review Directorate of the

RCMP, which administers the grievance and disciplinary and discharge and demotion processes within the RCMP. Meetings were also held with the executive of the SRR Program and with the RCMP Commissioner.

- *Ongoing Capacity Building*: Staff of the Committee attends training and conferences throughout the year to ensure currency in a variety of areas such as the *Charter of Rights and Freedoms*, administrative law, labour relations, decision writing and drafting, discipline and human rights law.

E. Analysis by Program Activity and Priority

Overview of Program Activities and Strategic Objective

Both program activities support the strategic objective of positively influencing employment relations within the RCMP. The case review function supports the independence and impartiality of the process, and the integration of current, relevant, legally sound principles and best practices into its analytical function. Both support the transparency and independence of the process of external case review and ensure knowledge of the Committee's mandate and its cases. Both allow for the monitoring of policy and uptake of other issues raised in recommendations into the RCMP through the Commissioner's final decision, and any changes of practice.

There are key areas of success for the Committee in the manner in which these program activities have been engaged this year, and therefore also advanced its strategic objective. Perhaps key in the area of case review has been the issuance of a higher number of cases this year than last, and the continued, concerted effort to reduce the case backlog. By facilitating a faster case review, there can be greater confidence in the realm of RCMP employment relations. In the area of outreach, a key success this year was that the Committee enhanced its visibility by sharing information at two regional meetings of staff representatives and attending and contributing to two additional training sessions.

Key deterrents to progress with progress of the strategic objective in relation to the program activities can be linked to the internal and external factors affecting the performance of the Committee that were discussed above. In particular, the small size and limited resources of the Committee, the consequent challenges in meeting workload fluctuations and in enhancing the visibility of the Committee are critical. There may also be a need to revisit the Committee's previous research function, which contributed to its outreach and positively informed labour relations of the RCMP. This research function was eliminated due to funding cuts in the early 1990s.

Program Activity 1 - Independent, timely, fair and impartial case review leading to the provision of quality findings and recommendations in all cases referred to the Committee

Financial Resources (\$thousands)

| Planned | Authorities | Actual Spending |
|---------|-------------|-----------------|
| 669 | 779 | 778 |

Human Resources (FTEs)

| Planned | Actual * | Difference |
|---------|----------|------------|
| 7 | 5 | 2 |

* From August 4, 2006 to March 31, 2007 one position was vacant.

* Until January 2007, our initial FTE planned was 6. Funding was received, effective January 2007 for 3 additional backlog resources (one for a two year term and two for a five year term). Three positions could not be filled in this fiscal year.

Program Activity 1: Independent, timely, fair and impartial case review leading to the provision of quality findings and recommendations in all cases referred to the Committee

Plans, priorities and commitments

Priority 1 - Focus on quality case review and reduction of backlog

- ensure expeditious and quality case management process
- manage the backlog of cases, should more resources become available
- ensure research tools are up to date
- consider seeking additional resources

Priority 2 - Maintain optimum environment for Committee staff

- fill indeterminate positions
- hold regular meetings
- consult with staff and seek input on workplace policies and practices

Priority 3 - Ongoing evaluation of operations

- develop evaluation plan, as Committee approaches its twentieth year anniversary
- initiate a review of service standards, effectiveness of outreach to stakeholders, and other relevant issues pertaining to mandate

Program, resources and results linkages

Priority 1 - Focus on quality case review and reduction of backlog

- the Committee was able to issue more recommendations this year than last;
- the Committee has integrated its pre-screening process to ensure more procedural or preliminary issues are addressed at the front end of the process;
- the Committee successfully requested additional funds through a business case and TB Submission. These funds are of an interim nature;
- the Committee maintained its research file and encouraged ongoing training of staff to ensure up to date and current;
- each employee attended training pertaining to present demands and to ensure currency in legal research.

Priority 2 - Maintain optimum environment for Committee staff

- the Committee was able to fill the one position that was open due to an indeterminate vacancy;
- the Committee regularly held staff meetings, and also held from time to time, operationally focussed meetings;
- the Committee regularly consulted with staff on workplace policies and practices and ensured additional training on the *Public Service Modernization Act*;
- some employees attended training pertaining to both present and future career goals.

Priority 3 - Ongoing evaluation of operations

- given resources and other priorities, a full evaluation of its operations was not conducted this year;
- the Committee developed a plan for its twentieth anniversary and this plan included a component on a potentially comprehensive evaluation;
- the Committee conducted a short survey of its outreach tools (*Communiqué*, Web site) with the Staff representatives and representatives of the Professional Standards and External Review function of the RCMP. This provided generally positive feedback on these outreach functions.

The Committee continues to spend approximately 80% of its time and resources on case review. Committee Chair and staff wages (not including contributions to employee benefit plans) amounted to \$434,508 this year and operating expenses to \$217,612.

Priority 1 - Focus on quality of case review and reduction of backlog (ongoing)

The planned activities spelled out in the 2006-2007 Report on Plans and Priorities for this priority included ensuring expeditious and quality case management process; managing the backlog of cases, should resources become available; ensuring research tools are up to date; and seeking additional resources.

Following on the inroads made in 2005-2006 to streamline its recommendation preparation, the Committee continued to implement its backlog reduction strategy. The Committee has integrated its prescreening process to ensure procedural or preliminary issues are addressed early on in the process. In addition, the Committee was able to issue more recommendations this year than last. It is premature to attribute the higher issuance of recommendations to its internal measures to reduce the backlog. There are a number of factors that may also have contributed to this: for example, the relative experience of the core staff who worked on these cases, and the nature of the cases before the Committee.

The Committee maintained its research file and encouraged ongoing training of staff to ensure currency. Each employee attended training pertaining to present demands. In addition, the Committee sought and received additional short term resources for both case facilitation and backlog reduction. These positions were not staffed in this fiscal year due to human resources delays.

The Committee also initiated another business case toward addressing corporate support. Included in this request were additional funds for consultation on appropriate implementation of information technology. In the longer term, should information technology changes be implemented, this could contribute to case facilitation.

Priority 2 - Maintain optimum environment for ERC staff (ongoing)

The planned activities spelled out in the 2006-2007 Report on Plans and Priorities for this priority included ensuring expeditious and quality case management process; managing the backlog of cases, should resources become available; ensuring research tools are up to date; and seeking additional resources.

Following on the inroads made in 2005-2006 to streamline its recommendation preparation, the Committee continued to implement its backlog reduction strategy. The Committee has integrated its prescreening process to ensure procedural or preliminary issues are addressed early on in the process. In addition, the Committee was able to issue more recommendations this year than last. It is premature to attribute the higher issuance of recommendations to its internal measures to reduce the backlog. There are a number of factors that may also have contributed to this: for example, the relative experience of the core staff who worked on these cases, and the nature of the cases before the Committee.

The Committee maintained its research file and encouraged ongoing training of staff to ensure currency. Each employee attended training pertaining to present demands. In addition, the Committee sought and received additional short term resources for both case facilitation and backlog reduction. These positions were not staffed in this fiscal year due to human resources delays.

The Committee also initiated another business case toward addressing corporate support. Included in this request were additional funds for consultation on appropriate

implementation of information technology. In the longer term, should information technology changes be implemented, this could contribute to case facilitation.

Priority 3 - Ongoing evaluation of operations (ongoing)

The planned activities spelled out in the 2006-2007 Report on Plans and Priorities for this priority included developing an evaluation plan; initiating a review of service standards, and a review of the effectiveness of outreach to stakeholders, and other relevant issues pertaining to its mandate.

The Committee regularly monitored the case review function and included it as a standing item in its staff meetings. It also developed a plan of action for its twentieth anniversary, which will fall in the 2008-2009 fiscal year. This plan includes outreach activities, a twentieth anniversary publication and an evaluation, which will be contingent on the resources available to the Committee.

The Committee was part of the *Management Accountability Framework* (MAF) exercise in this fiscal year. The Committee's performance was assessed on the basis of a variety of factors and through its self assessment of the MAF, the Committee also developed or renewed certain objectives. For example, finding ways to develop a more robust evaluation infrastructure and plans to follow up on its Risk Management exercise were renewed objectives identified by the Committee.

Program Activity 2 - Dissemination of information on the role of the Committee and its findings and recommendations, as well as on relevant legal principles

Financial Resources (\$thousands)

| Planned | Authorities | Actual Spending |
|---------|-------------|-----------------|
| 226 | 195 | 131 |

Human Resources (FTEs)

| Planned | Actual * | Difference |
|---------|----------|------------|
| 2 | 1 | 1 |

* From August 4, 2006 to March 31, 2007 one position was vacant.

* Until January 2007, our initial FTE planned was 6. Funding was received, effective January 2007 for 3 additional backlog resources (one for a two year term and two for a five year term). Three positions could not be filled in this fiscal year.

Program Activity 2: Dissemination of information on the role of the Committee and its findings and recommendations, as well as on relevant legal principles

Plans, priorities and commitments

Priority 1 – Formalize outreach and raise awareness of the Committee's work

- provide information about the Committee findings and recommendations and ensure readily available;
- publish the *Communiqué* on a quarterly basis;
- ongoing meetings with stakeholders in the RCMP;
- develop a more formalized outreach strategy through consultation and evaluation of its work.

Program, resources and results linkages

Priority 1 – Formalize outreach and raise awareness of the Committee's work

- Recommendation Summaries: Summaries of the Committee's recommendation and the Commissioner's subsequent decision are also placed on the Web site
- Requests for Information: Responded to requests for information
- Web Site: All recommendations are summarized and put on its Web site. Training materials that have been used in prior training sessions are also included on the Web site. Key reports, including its annual reports and government reports (RPPs, DPRs), as well as any submissions are included on the Web site.
- *Communiqué*: published the *Communiqué* four times in the 2006-2007 fiscal year. In the *Communiqué*, the Committee has also offered articles on areas of interest, such as referability, and relevant federal court decisions.
- Stakeholders: met with a variety of stakeholders in the 2006-2007 year: *Staff Relations Representatives Program* : Executive members; training to new staff relations representatives; a regional consultation with staff representatives in Manitoba; *Office for the Coordination of Grievances*: consultative and information/training meeting with staff of the Offices for the Coordination of Grievances; *Professional Standards and External Review*: meetings with staff of the Professional Standards and External Review offices. The Chair also met with the Commissioner of the RCMP, attended RCMP functions and shared information on the scope of its work.
- Formalized outreach: the Committee developed a formal Twentieth Anniversary Plan for the 2008-2009 fiscal year and this included a component on evaluation. It is developing an evaluation plan, which will incorporate issues on outreach in the coming fiscal year (2007-2008). Due to operational pressures and resource issues, the Committee did not develop a formalized outreach strategy, but it does have a deliberate strategy in place through its contact with key stakeholders.

The Committee estimates that it spends 20% of its time and resources on tasks related to our second program activity. Committee Chair and staff wages (not including contributions to employee benefit plans) amounted to \$108,627 for the year and operating expenses of \$54,403.

The Committee identified one priority in relation to the program activity related to information sharing and exchange.

Priority 1 - Formalize outreach and raise awareness of the Committee's work

The planned activities spelled out for this priority in the 2006-2007 Report on Plans and Priorities included providing information about the Committee findings and recommendations and ensuring they are readily available; publishing the *Communiqué* on a quarterly basis; ongoing meetings with stakeholders in the RCMP; developing a more formalized outreach strategy through consultation and evaluation of its work.

The Committee utilized a variety of outreach strategies and tools this fiscal year.

Website: All recommendations are summarized and put on its Web site (www.erc-ccc.gc.ca) as soon as possible in both official languages. Training materials that have been used in prior training sessions are also included on the Web site. Key reports, including its annual reports and government reports (RPPs, DPRs), as well as any submissions made to commissions are included on the Web site.

Recommendation Summaries: All recommendations are summarized and put on its Web site. Full Committee recommendations were available on demand. Summaries of the Commissioner's subsequent decision are also placed on the Web site.

Communiqué: The Committee published the *Communiqué* four times in the 2006-2007 fiscal year. In the *Communiqué*, the Committee has also offered articles on areas of interest, such as referability, and relevant federal court decisions.

Stakeholders: The Committee met with a variety of stakeholders in this fiscal year:

- a) *Staff Relations Representatives Program:* Executive members; training to new staff relations representatives; a regional consultation with staff representatives in Manitoba;
- b) *Office for the Coordination of Grievances:* consultative and information/training meeting with staff of the Offices for the Coordination of Grievances;
- c) *Professional Standards and External Review* meetings with staff of the Professional Standards and External Review offices.

Requests for Information: The Committee responded to requests for information and while some of these are straightforward, others involve more complex legal issues. In the

large majority of these requests for information, the Committee has responded within 2.8 days and in some cases has provided additional information in more detailed responses within a longer time frame.

Formalized Outreach Strategy: the Committee developed a formal Twentieth Anniversary Plan for the 2008-2009 fiscal year and this included a component on outreach. It is developing an evaluation plan, which will incorporate issues on outreach in the coming fiscal year (2007-2008). Due to operational pressures and resource issues, it did not develop a formalized outreach strategy but is conducting outreach focussed on key stakeholders. The Committee also conducted a short evaluation of its outreach tools with the Staff Representatives and representatives of Professional Standards and External Review. The overall feedback from this survey was positive.

F. Lessons Learned

Overall, the Committee continued to build on the efforts it had made in the 2005-2006 fiscal year toward a more robust infrastructure and streamlined system of case review to meet its statutory mandate. The active monitoring of its output of cases and of its backlog has had positive effects: the output of cases in this fiscal year has been much higher than previous years. However, it is important to note that a core group of very experienced staff contributed to this result. Case monitoring therefore, remains an essential part of the Committee's internal evaluation of its program activity of case review.

While there was not a formal outreach strategy, it was clear that the Committee's efforts to solidify its outreach has had beneficial effects and demonstrated a deliberate focus on key stakeholders, keeping in mind the Committee's limited resources. The Committee reached a high number of stakeholders in this last fiscal year, and the Committee views a high level of outreach as integral to its ongoing efforts to meet its statutory mandate and ensure knowledge on the part of RCMP members of its activities.

The Committee has also had beneficial results from its implementation of the *PSMA*, the issues it has raised in its *Submission to the Commission of Inquiry into the Actions of Canadian Officials in Relation to Maher Arar*, and the ongoing review of its Risk Management Profile. For example,

- the *Recommendations of the Commission of Inquiry into the Actions of Canadian Officials in Relation to Maher Arar* confirmed a number of concerns raised by the Committee when Justice O'Connor stated that public complaints oversight and discipline review should be kept as separate functions.
- the implementation of the *PSMA* has allowed the Committee to internalize and formalize human resources procedures.
- the Risk Management Profile led to diligent efforts in this fiscal year to address funding, shared services, visibility, case review and a number of other issues that

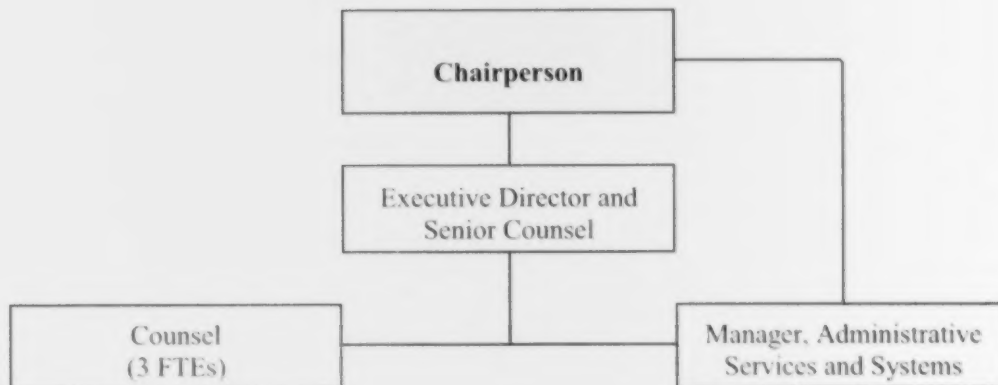
were identified on the Committee's risk radar. In short, these initiatives have all guided the direction it has taken in strategic, operational and corporate activities in this fiscal year.

In addition, the Committee considers it important to maintain ongoing engagement with the central agencies on the current pressures and demands faced by it as a very small agency. Such dialogues are important. The Committee has also addressed these demands in specific ways by developing a discussion paper on Micro Agencies that was distributed to a number of stakeholders and included in its Management Accountability Framework documentation. It has also participated in an action research group on the reporting burden on small agencies. This research group was coordinated and facilitated by the Canada School of Public Service and provided an avenue for constructive dialogue on the issue of reporting burden.

SECTION III: SUPPLEMENTARY INFORMATION

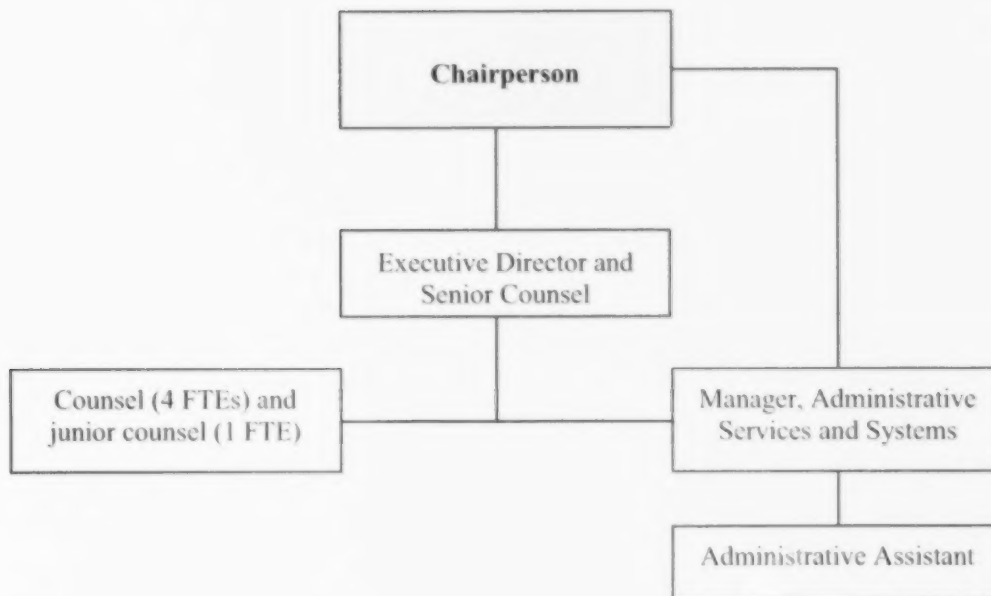
Organizational Information

April 1, 2006 to December 31, 2006 *



* From August 4, 2006 to March 31, 2007 one position was vacant. Until January 2007, our initial FTE planned was 6. Funding was received, effective January 2007 for 3 additional backlog resources (one for a two year term and two for a five year term). Three positions could not be filled in this fiscal year.

January 1, 2007 to March 31, 2007 *



* From August 4, 2006 to March 31, 2007 one position was vacant. Until January 2007, our initial FTE planned was 6. Funding was received, effective January 2007 for 3 additional backlog resources (one for a two year term and two for a five year term). Three positions could not be filled in this fiscal year.

Table 1 - Comparison of Planned to Actual Spending (including Full Time Equivalents)

| (\$ thousands) | 2004-05 Actual | 2005-06 Actual | 2006-2007 | | | |
|---|-------------------|-------------------|-------------------|---------------------|----------------------|------------------|
| | | | Main Estimates | Planned Spending | Total Authorities | Total Actuals |
| Independent, timely, fair and impartial case review leading to the provision of quality findings and recommendations in all cases referred to the Committee | 698 | 733 | 669 | 669 | 779 | 778 |
| Dissemination of information on the role of the Committee and its findings and recommendations, as well as on relevant legal principles | 175 | 183 | 226 | 226 | 195 | 131 |
| Total | 873 | 916 | 895 | 895 | 974 | 909 |
| Less: Non-respondable revenue | 0 | 0 | 0 | 0 | 0 | 0 |
| Plus: Cost of services received without charge* | 116 | 118 | 138 | 138 | 138 | 139 |
| Total Departmental Spending | 989 | 1034 | 1033 | 1033 | 1112 | 1048 |
| Full Time Equivalents | 6 | 6 | 6 | 9 | 9 | 6** |

* Services received without charge usually include accommodation provided by PWGSC, the employer's share of employees' insurance premiums, and expenditures paid by TBS (excluding revolving funds), Workers' Compensation coverage provided by Social Development Canada, and services received from the Department of Justice Canada (see Table 4).

** From August 4, 2006 to March 31, 2007 one position was vacant. Until January 2007, our initial FTE planned was 6. Funding was received, effective January 2007 for 3 additional backlog resources (one for a two year term and two for a five year term). Three positions could not be filled in this fiscal year.

Table 2 - Resources by Program Activity

| 2006-2007 | | | | |
|---|--------------------------|---|---------------------------------|-------|
| Program Activity | Budgetary (\$ thousands) | | | Total |
| | Operating | Total: Gross Budgetary Expenditures | Less: Responsible Revenue | |
| Independent, timely, fair and impartial case review leading to the provision of quality findings and recommendations in all cases referred to the Committee | | | | |
| Main Estimates | 669 | 669 | 0 | 669 |
| Planned Spending | 669 | 669 | 0 | 669 |
| Total Authorities | 779 | 779 | 0 | 779 |
| Actual Spending | 778 | 778 | 0 | 778 |
| Dissemination of information on the role of the Committee and its findings and recommendations, as well as on relevant legal principles | | | | |
| Main Estimates | 226 | 226 | 0 | 226 |
| Planned Spending | 226 | 226 | 0 | 226 |
| Total Authorities | 195 | 195 | 0 | 195 |
| Actual Spending | 131 | 131 | 0 | 131 |

Table 3 - Voted and Statutory Items

| (\$ thousands) | | | | | |
|------------------------|---|----------------|------------------|-------------------|---------------|
| | | 2006-2007 | | | |
| Vote or Statutory Item | Truncated Vote or Statutory Wording | Main Estimates | Planned Spending | Total Authorities | Total Actuals |
| 75 | Operating Expenditures | 790 | 790 | 880 | 815 |
| (S) | Contributions to employee benefit plans | 105 | 105 | 105 | 94 |
| | Total | 895 | 895 | 985 | 909 |

Table 4 - Services Received Without Charge

| (\$ thousands) | 2006-07 Actual Spending |
|--|-------------------------|
| Accommodation provided by Public Works and Government Services Canada | 96 |
| Contributions covering employer's share of employees' insurance premiums and expenditures paid by Treasury Board of Canada Secretariat (excluding revolving funds); employer's contribution to employees' insured benefit plans and associated expenditures paid by Treasury Board of Canada Secretariat | 43 |
| Salary and associated expenditures of legal services provided by the Department of Justice Canada | 0 |
| Total 2006-2007 Services received without charge | 139 |

Table 5 - User Fees Act

| A. User Fee | Fee Type | Fee Setting Authority | Date Last Modified | 2006-2007 | | | | | Planning Years | | |
|--|----------|----------------------------------|--------------------|-----------------------|---------------------|----------------|--|--|----------------|-----------------------|--------------------------|
| | | | | Forecast Revenue (\$) | Actual Revenue (\$) | Full Cost (\$) | Performance Standard ¹ | Performance Results ¹ | Fiscal year | Forecast Revenue (\$) | Estimated Full Cost (\$) |
| Fees charged for the processing of access requests filed under the <i>Access to Information Act</i> | (O) | <i>Access to Information Act</i> | 1992 | \$10 | \$20 | \$0 | Framework under development by TBS More info: http://lois.justice.gc.ca/en/a-1/8.html | Statutory deadlines met 100% of the time | 2007-08 | \$10 | \$500 |
| | | | | | | | | | 2008-09 | \$10 | \$500 |
| | | | | | | | | | 2009-10 | \$10 | \$500 |
| | | | | | | | | | | Total: \$30 | Total: \$1,500 |
| | | | | | | | | | | | |
| B. Date Last Modified: n/a | | | | | | | | | | | |
| C. Other Information: The RCMP External Review Committee receives a very minimal number of Access to Information requests. It received 10 requests in the 2006-07 fiscal year, of which nine were transferred to another federal institution. The other one was processed accordingly and the Committee collected \$20. The Committee projects that it will receive the same amount of requests for fiscal years 2007-08, 2008-09 and 2009-10. | | | | | | | | | | | |

Note:

According to prevailing legal opinion, where the corresponding fee introduction or more recent modification occurred prior to March 31, 2004, the:

- Performance standard, if provided, may not have received Parliamentary review;
- Performance standard, if provided, may not respect all establishment requirements under the *User Fees Act* (e.g. international comparison; independent complaint address)
- Performance result, if provided, is not legally subject to *User Fees Act* section 5.1 regarding fee reduction for failed performance.

Table 6 - Financial Statements

Statement of Management Responsibility (unaudited)

RCMP EXTERNAL REVIEW COMMITTEE

Responsibility for the integrity and objectivity of the accompanying financial statements for the year ended March 31, 2007 and all information contained in these statements rests with departmental management. These financial statements have been prepared by management in accordance with Treasury Board accounting policies which are consistent with Canadian generally accepted accounting principles for the public sector.

Management is responsible for the integrity and objectivity of the information in these financial statements. Some of the information in the financial statements is based on management's best estimates and judgment and gives due consideration to materiality. To fulfill its accounting and reporting responsibilities, management maintains a set of accounts that provides a centralized record of the department's financial transactions. Financial information submitted to the Public Accounts of Canada and included in the Committee's Departmental Performance Report is consistent with these financial statements.

Management maintains a system of financial management and internal control designed to provide reasonable assurance that financial information is reliable, that assets are safeguarded and that transactions are in accordance with the Financial Administration Act, are executed in accordance with prescribed regulations, within Parliamentary authorities, and are properly recorded to maintain accountability of Government funds. Management also seeks to ensure the objectivity and integrity of data in its financial statements by careful selection, training and development of qualified staff, by organizational arrangements that provide appropriate divisions of responsibility, and by communication programs aimed at ensuring that regulations, policies, standards and managerial authorities are understood throughout the Committee.

The financial statements of the Committee have not been audited.

Catherine Ebbs

Catherine Ebbs
Chair

August 22, 2007

Virginia Adamson

Virginia Adamson
Executive Director and Senior Counsel

August 22, 2007

Statement of Financial Position (unaudited)

| RCMP EXTERNAL REVIEW COMMITTEE | | |
|--|------------------|------------------|
| as at March 31 | 2007 | 2006 |
| (in dollars) | | |
| Assets | | |
| Financial Assets | | |
| Accounts receivable and advances (Note 4) | 791 | 8,938 |
| Total Assets | 791 | 8,938 |
| Liabilities and Equity of Canada | | |
| Liabilities | | |
| Accounts payable and accrued liabilities | 55,641 | 44,662 |
| Vacation pay and compensatory leave | 21,402 | 18,822 |
| Employee severance benefits (Note 5) | 104,483 | 95,152 |
| Total Liabilities | 181,526 | 158,636 |
| Equity of Canada | (180,735) | (149,698) |
| Total Liabilities and Equity of Canada | 791 | 8,938 |
| There are no contingent liabilities or commitments disclosed. | | |
| There are no pending or threatened lawsuits or claims against the Committee. | | |

Statement of Equity (unaudited)

RCMP EXTERNAL REVIEW COMMITTEE

| For the year ended March 31 (in dollars) | 2007 Actual | 2006 Actual |
|---|----------------|----------------|
| Equity of Canada, beginning of year | (149,696) | (176,126) |
| Net cost of operations | (1,654,529) | (1,020,011) |
| Current year appropriations used (Note 1) | 948,941 | 932,034 |
| Change in net position in the Consolidated Revenue Fund (Note 1) | (29,464) | (3,295) |
| Services received without charge from other government departments (Note 1) | 143,996 | 118,000 |
| Equity of Canada, end of year | (1,686,752) | (1,159,408) |

The accompanying notes form an integral part of these financial statements.

Statement of Financial Position (unaudited)

| RCMP EXTERNAL REVIEW COMMITTEE | | |
|---|-----------|-----------|
| as at March 31 | 2007 | 2006 |
| (in dollars) | | |
| Assets | | |
| Financial Assets | | |
| Accounts receivable and advances (Receivables) | 791 | 1,000 |
| | 791 | 1,000 |
| Liabilities and Equity of Canada | | |
| Liabilities | | |
| Accounts payable and accrued liabilities | 55,641 | 44,961 |
| Provision pay and compensatory leave | 21,462 | 15,772 |
| Employee severance benefits (Reserve) | 104,483 | 93,312 |
| | 181,586 | 154,045 |
| Equity of Canada | (100,795) | (100,045) |
| | 791 | 1,000 |
| These figures represent unaudited figures as provided by the RCMP. | | |
| These figures are presented in thousands of dollars unless otherwise indicated. | | |

Statement of Operations (unaudited)

RCMP EXTERNAL REVIEW COMMITTEE

For the year ended March 31
(in dollars)

| | 2007 | | 2006 | |
|-----------------------------------|---|--|------------------|------------------|
| | Independent and impartial case review | Outreach and information dissemination | Total | Total |
| Expenses | | | | |
| Salaries and employee benefits | 585,139 | 107,391 | 692,530 | 722,520 |
| Professional and special services | 145,658 | 19,966 | 165,626 | 148,022 |
| Accommodation | 75,611 | 18,903 | 94,514 | 73,300 |
| Information | 29,272 | 3,508 | 32,780 | 24,758 |
| Equipment | 20,264 | 3,704 | 23,968 | 6,280 |
| Communication | 13,318 | 3,028 | 16,346 | 11,225 |
| Utilities, material and supplies | 8,937 | 1,902 | 10,839 | 16,169 |
| Travel and relocation | 8,865 | 1,622 | 10,487 | 7,495 |
| Equipment rentals | 6,172 | 1,344 | 7,516 | 10,177 |
| Other | 3 | - | 3 | 65 |
| Total Expenses | 893,178 | 161,370 | 1,054,549 | 1,020,011 |
| Revenues | | | | |
| Other revenues | 20 | - | 20 | - |
| Net Cost of Operations | 893,158 | 161,370 | 1,054,529 | 1,020,011 |

Statement of Cash Flow (unaudited)

RCMP EXTERNAL REVIEW COMMITTEE

| For the year ended March 31 (in dollars) | 2007 | 2006 |
|---|-----------|-----------|
| Operating activities | | |
| Net Cost of Operations | 1,654,529 | 1,020,011 |
| Non-cash items: | | |
| Services received without charge from other government departments (note 6) | (143,995) | (118,000) |
| Variations in Statement of Financial Position: | | |
| Increase (decrease) in receivables and advances | (8,147) | 7,754 |
| Decrease (increase) in liabilities | (22,890) | 18,674 |
| Total cash used by operating activities | 879,497 | 928,439 |
| Financing activities | | |
| Net cash provided by Government of Canada | (879,497) | (928,439) |

The accompanying notes are an integral part of these financial statements.

Statement of Operations (unaudited)

RCMP EXTERNAL REVIEW COMMITTEE

For the year ended March 31
(in dollars)

| | 2007 | | 2006 | |
|-----------------------------------|---|--|-----------|-----------|
| | Independent and impartial case review | Outreach and information dissemination | Total | Total |
| Expenses: | | | | |
| Salaries and employee benefits | 518,139 | 107,891 | 626,030 | 722,329 |
| Professional and special services | 16,658 | 19,961 | 36,619 | 149,021 |
| Accommodation | 75,411 | 10,903 | 86,314 | 51,889 |
| Information | 29,772 | 3,500 | 33,272 | 34,790 |
| Equipment | 70,264 | 3,704 | 73,968 | 6,200 |
| Communication | 13,310 | 3,071 | 16,381 | 11,223 |
| Utilities, material and supplies | 1,927 | 1,902 | 3,829 | 16,364 |
| Travel and relocation | 1,105 | 1,022 | 2,127 | 1,065 |
| Equipment rental | 6,172 | 1,344 | 7,516 | 20,175 |
| Other | 3 | - | 3 | 75 |
| | 1,011,751 | 161,376 | 1,173,127 | 1,020,011 |
| REVENUES: | | | | |
| Other revenues | 20 | - | 20 | - |
| | 69,158 | 161,376 | 1,054,529 | 1,020,011 |

Statement of Cash Flow (unaudited)

RCMP EXTERNAL REVIEW COMMITTEE

| For the year ended March 31 (in dollars) | 2007 | 2006 |
|---|-----------|-----------|
| Operating activities | | |
| Net Cost of Operations | 1,054,529 | 1,020,011 |
| Non-cash items | | |
| Services received without charge from other government departments (note 6) | (143,915) | (110,000) |
| Variations in Statement of Financial Position | | |
| Increase (decrease) in receivables and advances | (6,167) | 7,704 |
| Decrease (increase) in liabilities | (22,900) | 10,674 |
| | 879,497 | 928,439 |
| Financing activities | | |
| | (879,497) | (928,439) |

The accompanying notes are an integral part of this statement of cash flow.

Notes to the Financial Statements (unaudited)

RCMP EXTERNAL REVIEW COMMITTEE

1. Authority and Objectives

Under the *RCMP Act*, the RCMP Commissioner refers all appeals of formal discipline and all discharge and demotion appeals to the Committee unless the member of the RCMP requests that the matter not be referred. In addition, pursuant to *section 33 of the RCMP Act*, the RCMP Commissioner refers certain types of grievances to the Committee in accordance with regulations made by the Governor in Council. *Section 36 of the RCMP Regulations* specifies the grievances which the RCMP Commissioner is obliged to refer to the Committee, namely grievances respecting:

- i) the interpretation and application of government policies that apply to government departments and that have been made to apply to members;
- ii) the stoppage of pay and allowances of members made pursuant to subsection 22(3) of the *RCMP Act*;
- iii) the Force's interpretation and application of the Isolated Posts Directive;
- iv) the Force's interpretation and application of the RCMP Relocation Directive; and
- v) administrative discharge on the grounds of physical or mental disability, abandonment of post, or irregular appointment.

The Committee is also responsible for outreach and information dissemination.

2. Significant accounting policies

The financial statements have been prepared in accordance with Treasury Board accounting policies which are consistent with Canadian generally accepted accounting principles for the public sector.

Significant accounting policies are as follows:

(a) Parliamentary appropriations

The Committee is financed by the Government of Canada through Parliamentary appropriations. Appropriations provided to the Committee do not parallel financial reporting according to generally accepted accounting principles since appropriations are primarily based on cash flow requirements. Consequently, items recognized in the statement of operations and the statement of financial position are not necessarily the same as those provided through appropriations from Parliament. Note 3 provides a high-level reconciliation between the bases of reporting.

(b) Net Cash Provided by Government

The Committee operates within the Consolidated Revenue Fund (CRF), which is administered by the Receiver General for Canada. All cash received by the Committee is deposited to the CRF and all cash disbursements made by the Committee are paid from the CRF. The net cash provided by Government is the difference between all cash receipts and all cash disbursements including transactions between departments of the federal government.

Notes to the Financial Statements (unaudited)

RCMP EXTERNAL REVIEW COMMITTEE

2. Significant accounting policies (continued)

(c) Change in net position in the Consolidated Revenue Fund

The change in net position in the Consolidated Revenue Fund is the difference between the net cash provided by Government and appropriations used in a year, excluding the amount of non-respendable revenue recorded by the Committee. It results from timing differences between when a transaction affects appropriations and when it is processed through the CRF.

(d) Revenues:

Revenues are accounted for in the period in which the underlying transaction or event occurred that gave rise to the revenues. Revenues include access to information program (ATIP) fees, employees' parking fees etc.

(e) Expenses:

Expenses are recorded on the accrual basis:

- i) Vacation pay and compensatory leave are expensed as the benefits accrue to employees under their respective terms of employment.
- ii) Services provided without charge by other government departments for accommodation and the employer's contribution to the health and dental insurance plans are recorded as operating expenses at their estimated cost.

(f) Employee future benefits

Pension benefits: Eligible employees participate in the Public Service Pension Plan, a multiemployer administered by the Government of Canada. The Committee's contributions to the Plan are charged to expenses in the year incurred and represent the total obligation to the Plan. Current legislation does not require the Committee to make contributions for any actuarial deficiencies of the Plan.

Severance benefits: Employees are entitled to severance benefits under labour contracts or conditions of employment. These benefits are accrued as employees render the services necessary to earn them. The obligation relating to the benefits earned by employees is calculated using information derived from the results of the actuarially determined liability for employee severance benefits for the Government as a whole.

(g) Receivables

Accounts receivables are stated at amounts expected to be ultimately realized; a provision is made for receivables where recovery is considered uncertain.

(h) Measurement uncertainty

The preparation of these financial statements in accordance with Treasury Board accounting policies, which are consistent with Canadian generally accepted accounting principles for the public sector, requires management to make estimates and assumptions that affect the reported amounts of assets, liabilities, revenues and expenses reported in the financial statements. At the time of preparation of these statements, management believes the estimates and assumptions to be reasonable. The most significant item where an estimate is used is the liability for employee severance benefits. Actual results could significantly differ from those estimated. Management's estimates are reviewed periodically and, as adjustments become necessary, they are recorded in the financial statements in the year they become known.

Notes to the Financial Statements (unaudited)

RCMP EXTERNAL REVIEW COMMITTEE

3. Parliamentary appropriations

The Committee receives most of its funding through annual Parliamentary appropriations. Items recognized in the statement of operations and the statement of financial position in one year may be funded through Parliamentary appropriations in prior, current or future years. Accordingly, the Committee has different net results of operations for the year on a government funding basis than on an accrual accounting basis. The differences are reconciled in the following tables:

(a) Reconciliation of net cost of operations to current year appropriations used:

| <i>(in \$ thousands)</i> | 2007 | 2006 |
|---|----------------|----------------|
| Net cost of operations | 1,054,529 | 1,030,011 |
| <i>Adjustments for items affecting net cost of operations but not affecting appropriations:</i> | | |
| <i>Add (Less):</i> | | |
| Services received without charge from other government departments | (143,995) | (118,000) |
| Refund/adjustments to payable at year end | 10,258 | 21,337 |
| Revenue not available for spending | 20 | - |
| Employee Severance Benefits | (9,331) | 8,686 |
| Vacation pay and compensatory leave | (2,580) | - |
| | (145,628) | (87,977) |
| Current year appropriations used | 908,901 | 932,034 |

(b) Appropriations provided and used:

| <i>(in \$ thousands)</i> | 2007 | 2006 |
|---|----------------|----------------|
| Program expenditures - Vote 75 | 790,000 | 772,000 |
| Supplementary Vote 75a | 85,354 | - |
| Supplementary Vote 75b | - | - |
| Transfer from TB - Vote 5 | - | 55,450 |
| Transfer from TB - Vote 15 | 5,000 | - |
| | 880,354 | 827,450 |
| Liquid | (65,203) | (17,962) |
| | 815,151 | 809,488 |
| <i>Add statutory amounts:</i> | | |
| Contributions to employee benefits plan | 93,750 | 122,546 |
| Current year appropriations used | 908,901 | 932,034 |

Notes to the Financial Statements (unaudited)

RCMP EXTERNAL REVIEW COMMITTEE

3. Parliamentary appropriations (continued)

(c) Reconciliation of net cash provided by Government to current year appropriations used:

| (in dollar) | 2007 | 2006 |
|---|---------|---------|
| Net cash provided by Government | 879,407 | 928,439 |
| Change in net position in the Consolidated Revenue Fund | | |
| Refund/adjustments of previous years accounts payable | 10,258 | 21,337 |
| (Increase) decrease in receivables and advances | 8,147 | (7,754) |
| Increase (decrease) in payables | 10,979 | (9,988) |
| Revenue not available for spending | 20 | - |
| | 29,403 | 3,595 |
| Current year appropriations used | 908,901 | 932,034 |

4. Accounts Receivable and Advances

| (in dollar) | 2007 | 2006 |
|---|------|-------|
| Receivable from other Federal Government departments and agencies | 541 | 8,588 |
| Employee advances | 250 | 200 |
| Total | 791 | 8,788 |

Notes to the Financial Statements (unaudited)

RCMP EXTERNAL REVIEW COMMITTEE

5. Employee Benefits

(a) Pension benefits

The Committee's employees participate in the Public Service Pension Plan, which is sponsored and administered by the Government of Canada. Pension benefits accrue up to a maximum period of 35 years at a rate of 2 percent per year of pensionable service, times the average of the best five consecutive years of earnings. The benefits are integrated with Canada/Quebec Pension Plans benefits and they are indexed to inflation.

Both the employees and the Committee contribute to the cost of the Plan. The 2006-07 expense amounts to \$69,093 (\$90,084 in 2005-06), which represents approximately 2.2 times (2.6 in 2005-06) the contributions by employees.

The Committee's responsibility with regard to the Plan is limited to its contributions. Actuarial surpluses or deficiencies are recognized in the financial statements of the Government of Canada, as the Plan's sponsor.

(b) Severance benefits

The Committee provides severance benefits to its employees based on eligibility, years of service and final salary. The accrued benefit obligation at the end of the year is calculated by multiplying a ratio (23.20% for 2006 and 23.64% for 2007) to the Committee's annual gross payroll at year end subject to severance pay, which is the payroll related to indeterminate employees. The ratios are determined by Treasury Board Secretariat. These severance benefits are not pre-funded. Benefits will be paid from future appropriations. Information about the severance benefits, measured as at March 31, is as follows:

| | 2007 | 2006 |
|---|---------|---------|
| Accrued benefit obligation, beginning of year | \$1,132 | 181,035 |
| Expense for the year | 9,171 | 42,454 |
| Accrued benefit obligation, end of year | 104,453 | 9,171 |

6. Related party transactions

The Committee is related as a result of common ownership to all Government of Canada departments, agencies, and Crown corporations. The Committee enters into transactions with these entities in the normal course of business and on normal trade terms. Also, during the year, the Committee received services which were obtained without charge from other Government departments as presented in part (a).

(a) Services received without charge from other government departments

During the year the Committee received service without charge from other departments. These services have been recognized in the Committee's Statement of Operations as follows:

| | 2007 | 2006 |
|--|---------|---------|
| Accommodation | \$4,414 | 75,000 |
| Employer's contribution to the health and dental insurance plans | 49,451 | 47,000 |
| Total | 143,895 | 112,000 |

The Government has structured some of its administrative activities for efficiency and cost effectiveness purposes so that one department performs these on behalf of all without charge. The costs of these services, which include payroll and cheque issuance services provided by Public Works and Government Services Canada and audit services provided by the Office of the Auditor General, are not included as an expense in the Committee's Statement of Operations.

| | 2007 | 2006 |
|--|-------|-------|
| Accounts receivable with other government departments and agencies | \$41 | \$100 |
| Accounts payable to other government departments and agencies | \$377 | \$400 |

Notes to the Financial Statements (unaudited)

RCMP EXTERNAL REVIEW COMMITTEE

7. Comparative information

Comparative figures have been restated to conform to the current year's presentation.

The services provided without charges included in the financial statements of fiscal year 2005-06 have been restated to reflect the actual costs. The effect is an increase in salaries and employee benefit, and accommodation costs on the statements of operations. The restatements are also reflected on the statements cash flow but do not affect the net cash provided by the government, the appropriation used or the equity balance.

Table 7 - Internal Audits or Evaluations

Internal Audits or Evaluations of the RCMP External Review Committee:

1. Participated in a One Pass Planning exercise with the Office of the Auditor General as part of the overall portfolio for Public Safety Canada in 2005-06. No further steps taken.
2. The Committee is in the process of an horizontal audit by the Office of the Auditor General as part of the ongoing Small Agencies horizontal audit. This audit was not finalized in this fiscal year.

SECTION IV - OTHER ITEMS OF INTEREST

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